

| <b>01 - Name of processing</b>  | <b>Probationary Period and Career Development Review processes at ERA</b>  |
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| 02 - Reference  | 3  |
| 03 - Submission Date  | 11-09-09   |
| 04 - Last update  | 09-09-21   |
| 05a - Controller  | RICOTTA Salvatore  |
| 05b - Unit-Sector   | Human Resources  |
| 05c - Controller's email  | HoUResourcesandSupport@era.europa.eu   |
| 06 - DPO  | DataProtectionOfficer@era.europa.eu<br>120 Rue Marc Lefrancq, 59300 Valenciennes, France<br>Tel.+33 (0) 32 70 96 500 |
| 07 - Name and contact details of joint controller<br>(where applicable) |  |
| 08a - Who is actually conducting the processing?<br>(Article 31.1(a))   | The data is processed by ERA (responsible unit) itself   |
| 08b - Name and contact details of processor<br>(where applicable)       | N/A  |

09 - Purpose of processing

1. The Probationary Period Report and the Career Development Review are performance evaluation tools and processes aiming at the following:
  - a. The “confirmation” of the newly engaged statutory staff members in their CoE.
  - b. The appraisal on an annual basis of the performance and conduct of the ERA’s statutory staff members

As part of a Performance Management System, personal data are collected and processed

- after each probationary period, using a paper based process, and
- every year (annual operation) in order to evaluate the performance of the statutory staff members, identify any shortcomings / assistance required (and to proceed with the “reclassification” exercise). All CDR information is stored electronically in the e-CDR tool.

During the CDR exercise the Reporting Officer and individual staff member agree on the objectives and trainings for the next reporting period which are listed in a designated Objective Setting tool (e-CDR, E-Objectives).

A non-compulsory mid-term review is executed in order to establish whether the objectives set at the beginning of the year are still relevant or need revision/adaptation.

10a - Data Subjects

ERA Statutory Staff (Temporary Agents / Contract agents).  
Not compulsory: SNEs.

10b - Personal data

Data collected include name, surname, personnel number, department/unit/team, function group, grade, appraisal period (i.e. from ... to... ), interruptions of the appraisal period, job description, agreed work objectives, expected conduct and competencies for the post and personal development tasks of the jobholder, as well as name, surname, function of the “reporting” and “countersigning” officers. The objectives and trainings agreed and planned for the forthcoming appraisal period are also included.

11 - Time limit for keeping the data

Ten (10) years from the termination of employment or from the last pension payment, whatever applicable.

12 - Recipients of the data

The recipients of the data are: the relevant statutory staff members, the reporting and countersigning officers, the AACC, the designated HR staff dealing with performance management, the members of the Management Team, the Joint Committee and the Joint Reclassification Committee. Additionally, external supervisory instances of ERA (i.e. European Court of Auditors, Internal Audit Service, and in case of controversy, the Civil Service Tribunal, the European Ombudsman, etc.) can have access to those data according to the legal provisions in force.

13 - Are there any transfers of personal data to third countries or international organisations? If so, to which ones and with which safeguards?

N/A

14 - How is data stored? What are the security measures implemented?

Hard copies (for probationary period reports only): The data are stored in fire proof code protected safes in the physical personnel files in the HR sector premises, accessible only by designated HR staff. • Computer storage of CDRs: the e-CDR (e-workflow) is stored in Sharepoint.

15 - For more information, including how to exercise your rights to access, rectification, object and data portability (where applicable) see the data protection notice

a) Once in duty, staff members are informed about allowed access to their personal data in order to check/verify/consult its contents or to take copies of documents. It is also explained that any amendment/alteration/modification/correction/deletion to the personal data file must be -duly justified- introduced by the staff (via the Data Controller for corrections and deletions) and executed by the designated actors in the HR sector. The data subjects are also entitled to seek advice/ask an opinion from the EDPS. This information is given via the privacy statement.

b) From the moment the appraisal exercise is initiated by the job holder by drafting the self-assessment and the exercise is finalised, both actors (job holder and RO (or delegate)) have the opportunity to discuss the contents of the report during bilaterals and introduce modifications (corrections, changes, deletions...). Once the final report is endorsed by the job holder (with or without comments) the rights to modify the report are withdrawn.

c) The HR team collects and registers personal data only to the extent necessary to process and centralise the Probationary Period Reports and e-CDRs of the ERA's statutory staff. All authorised staff dealing with the CDR process (reporting and countersigning officers as well as the designated HR staff) have access to the data, without prejudice to possible transmission to any of the supervisory instances of ERA (i.e. the European Court of Auditors, Internal Audit Service and in case of controversy the Civil Service Tribunal, the Ombudsman, etc.)

The data collected in the Probationary Period Report and the e-CDR can also be accessed by the members of the Management Team, the Joint Committee and the Joint Reclassification Committee.

15a - Data subject rights

Right to have access; Right to rectify; Right to object

16 - Legal Basis

Amendment to the Agency's Founding Regulation; SR (art. 43 & 110) and CEOS (art. 15(2) & 87); SR (art. 45) & CEOS (art. 10, 15); Staff Regulations and CEOS and implementing Rules;

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| 17 - Lawfulness of processing                                   | <p>Article 5 b) of Regulation (EU) 2018/1725</p> <ul style="list-style-type: none"> <li>- Staff Regulations (SR) and CEOS (Art. 34 of SR, 14 and 84 of CEOS).</li> <li>- Art. 43, 45 and 110 of SR, 15(2) and 87 of CEOS</li> <li>- MBDecisions:n° 123 of the Administrative Board of the European Railway Agency on the general provisions for implementing Article 87(1) of the Conditions of Employment of Other Servants of the European Union and implementing the first paragraph of Article 44n° 122 of the Administrative Board of the European Railway Agency on the general provisions for implementing Article 43 of the Staff Regulations and implementing the first paragraph of Article 44 of the Staff Regulations for temporary staff.n°133 of the Administrative Board of the European Railway Agency laying down general implementing provisions regarding Art 54 of the Conditions of Employment of Other Servants of the European Union n°132 of the Administrative Board of the European Railway Agency on general implementing provisions regarding Article 87(3) of the Conditions of Employment of Other Servants of the European Union.</li> </ul> |
| 18 - Data minimisation  | <p>a) To “confirm” the newly engaged statutory staff members in their contract of employment in accordance and compliance with the provisions of Staff Regulations (SR) and CEOS (Art. 34 of SR, 14 and 84 of CEOS).</p> <p>b) To conduct the appraisal on an annual basis of the performance and conduct of the ERA’s statutory staff members in accordance and compliance with Art. 43, 45 and 110 of SR, 15(2) and 87 of CEOS and their accompanying implementing rules.</p>   |
| 19 - Accuracy   | <p>The data provided by HR are accurate. HR however has no authority to check whether other potential data introduced by ROs and CSOs is accurate or not.</p>   |
| 20 - Access and other rights of persons whose data is processed | <p>NA</p>   |
| 21 - Special category data                                      | <p>NA as no special category of data processed. Link to threshold assessment - risks does not work.</p>   |
| 22 - DPIA   | <p>NA</p>   |
| 23 - Link to the Threshold assessment-Risks                     |   |

24 - Other related documents